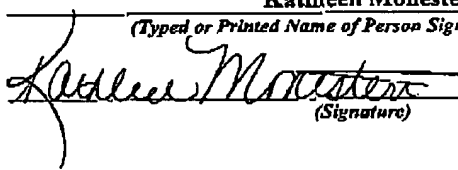


07/26/05 12:43 FAX 201 847 7008

BD Intel Propty Dept

JUL 26 2005

001

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): <u>Nicholas R. Bachur, Jr. et al.</u>			Docket No.  <b>P-5026</b>
Application No.  <b>09/892,061</b>	Filing Date  <b>6/26/01</b>	Examiner  <b>W. Beisner</b>	Group Art Unit  <b>1744</b>
Invention: <b>System and Method for Optically Monitoring the Concentration of a Gas, or the Pressure in a Sample Vial to Detect Sample Growth</b>			
<p>I hereby certify that this <u>Response to Notice of Non-Compliant Amendment/Claim Listing</u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>July 26, 2005</u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 40px;"> <u>Kathleen Monesteri</u>  <small>(Typed or Printed Name of Person Signing Certificate)</small>    <small>(Signature)</small> </div> <p align="center" style="margin-top: 40px;"> <b>Note: Each paper must have its own certificate of mailing.</b> </p>			

P18/REV02

JUL 26 2005

PATENT P-5026IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

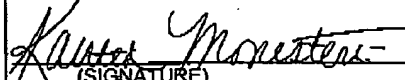
APPLICANT(S): Nicholas R. Bachur, Jr. et al.

SERIAL NO.: 09/892,061

GROUP: 1744

FILING DATE: June 26, 2001

EXAMINER: W. Beisner

FOR: System and Method for Optically Monitoring the Concentration  
of a Gas, or the Pressure in a Sample Vial to Detect Sample  
GrowthCommissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING FAXED TO 571-273-8300 TO: COMMISSIONER  
FOR PATENTS, ALEXANDRIA, VA 22313-1450 ON: July  
26, 2005 BY: Kathleen Monesteri  
(SIGNATURE)RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

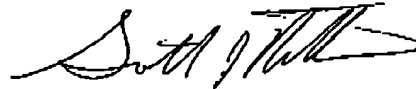
Sir:

Applicants received a Notice of Non-Compliant Amendment dated July 13, 2005. The Amendment filed by Applicants on June 27, 2005 was considered to be non-compliant due to a non-complete claim listing.

Attached hereto is a replacement claim listing, which should be substituted for the listing provided with the Amendment of June 27, 2005.

If there are any additional fees related to this Amendment, such fees should be charged to Deposit Account No. 02-1666.

Respectfully submitted,

Scott J. Rittman  
Registration No. 39,010BECTON, DICKINSON AND COMPANY  
1 Becton Drive  
Franklin Lakes, NJ 07417-1880  
(201) 847-6356  
Doc#93332v5

**PATENT P-5026****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**APPLICANT(S): **Nicholas R. Bachur, Jr. et al.**SERIAL NO.: **09/892,061**GROUP: **1744**FILING DATE: **June 26, 2001**EXAMINER: **W. Beisner**FOR: **System and Method for Optically Monitoring the Concentration of a Gas, or the Pressure in a Sample Vial to Detect Sample Growth**Commissioner of Patents  
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(SIGNATURE)**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

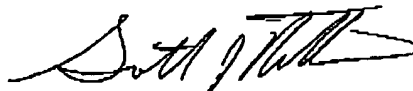
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